

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHARLES BO MUMPHREY,

Defendant.

Case No. 2:12-cr-00455-HDM-PAL

ORDER

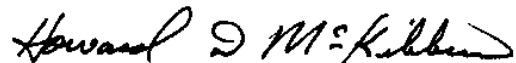
The defendant has filed a "Motion for Resentencing Pursuant to Scott Prigan v. United States." (ECF No. 269).

The defendant does not identify any legal basis for his motion. On that basis alone, the motion is DENIED.

Construed as a motion to correct sentence pursuant to 28 U.S.C. § 2255, the motion must be dismissed for lack of jurisdiction as it is second or successive, and the court lacks jurisdiction to consider a second or successive motion absent prior authorization from the Court of Appeals. 28 U.S.C. § 2255(h); *id.* § 2244; *United States v. Washington*, 653 F.3d 1057, 1065 (9th Cir. 2011). Because the court has no such authorization before it and the defendant does not indicate he has received any such authorization, the motion, to the extent it may be construed as arising under § 2255, is DISMISSED for lack of jurisdiction.

IT IS SO ORDERED.

DATED: This 18th day of October, 2022.



UNITED STATES DISTRICT JUDGE